

UNITED STATES DISTRICT COURT
DISTRICT OF NEW JERSEY

JERRY CAPOZZI, : CIVIL ACTION NO. 04-5862 (MLC)
Plaintiff, : **MEMORANDUM OPINION**
v. :
COMMISSIONER OF SOCIAL SECURITY, :
Defendant. :
_____ :

THE COURT having ordered the plaintiff to show cause why the complaint should not be dismissed for failure to abide by Local Civil Rule 9.1 (dkt. entry no. 4); and it appearing that the plaintiff brought this action under 42 U.S.C. § 405(g) seeking review of a determination by the Social Security Administration (Compl.); and the plaintiff, in response, seeking an extension to allow for (1) a review for a consent remand, and (2) the filing of a brief if there is no remand by consent (dkt. entry no. 5); and thus the Court intending to (1) vacate the order to show cause, and (2) extend the time for (a) a review for a consent remand to April 18, 2006, and (b) the filing of a brief to May 3, 2006, if there is no remand by consent; and the plaintiff being advised that the complaint will be dismissed without further notice if the plaintiff fails to abide by these new deadlines, see L.Civ.R. 9.1(b) (authorizing Court to sanction plaintiff for failing to comply with Local Civil Rule 9.1(a)); and the Court being authorized to impose harsh penalties when enforcing the

Local Civil Rules, see Kabacinski v. Bostrom Seating, No. 03-1986, 2004 WL 628867, at *3 n.3 (3d Cir. Mar. 30, 2004), United States v. 11 Vehs., Their Equip. & Accessories, 200 F.3d 203, 214 (3d Cir. 2000); and for good cause appearing, the Court will issue an appropriate order.

s/ Mary L. Cooper
MARY L. COOPER
United States District Judge